

## Message Text

LIMITED OFFICIAL USE

PAGE 01 TUNIS 01305 041223Z

51

ACTION SMI-01

INFO OCT-01 NEA-09 ISO-00 OES-03 /014 W

----- 009663

R 041150Z MAR 75

FM AMEMBASSY TUNIS

TO SECSTATE WASHDC 8374

LIMITED OFFICIAL USE TUNIS 1305

FOR COERR, SMITHSONIAN FROM AMBASSADOR

EO 11652: N/A

TAGS: TPHY, OSCI, TS

SUBJECT: BACCAR CASE

1. DISCUSSED BACCAR CASE IN VERY CONFIDENTIAL AND INFORMAL WAY WITH HABIB BOURGUIBA, JR., YESTERDAY MORNING IN VIEW HIS STRONG INTEREST IN MAINTAINING CLOSE AMERICAN-TUNISIAN RELATIONS. IN REVIEWING CASE, I SAID THAT I DEPLORED THIS IRRITANT IN OTHERWISE HAPPY AMERICAN-TUNISIAN RELATIONSHIP AND INDICATED DANGEROUS PRECEDENT WHICH MIGHT BE SET RE OTHER SMITHSONIAN PROJECTS HERE SHOULD SMITHSONIAN LOSE COURT CASE. I SAID I WAS UNSURE OF BACCAR'S "POLITICAL" SUPPORT AND THAT I WOULD BE SPEAKING TO MINISTER OF AGRICULTURE TO ASCERTAIN WHETHER, IN FACT, HE HAD "AUTHORIZED" BACCAR TO RETURN TO SORTING CENTER FOLLOWING NON-RENEWAL OF CONTRACT (AS ALLEGED BY BACCAR). I ALSO ASKED BOURGUIBA JR. FOR HIS ESTIMATE AS TO WHETHER COURT WOULD MAKE JUDGMENT PURELY ON MERITS OF CASE OR WHETHER JUDGES MIGHT BE SUSCEPTIBLE TO "INFLUENCE" BY OTHER SIDE.

2. BOURGUIBA, JR. REGRETTED DEVELOPMENTS AND DEMONSTRATED NO SYMPATHY WHATSOEVER FOR BACCAR. IN FACT, HE IDENTIFIED BACCAR AND HER HUSBAND AS QUESTIONABLE CHARACTERS. HE SAID THAT THEY ARE NOW UNDER INVESTIGATION BY TUNISIAN BAR ASSOCIATION FOR CERTAIN

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 TUNIS 01305 041223Z

ILLEGAL ACTIONS THEY HAVE UNDERTAKEN IN CONNECTION

WITH PROPERTY PURCHASE IN MARSEILLES. HE URGED THAT SMITHSONIAN LAWYERS INITIATE COUNTERSUIT AGAINST BACCAR, CITING FOREGOING CASE AS EVIDENCE OF THEIR QUESTIONABLE CHARACTER. HE CLAIMED THAT CURRENT BAR ASSOCIATION'S INVESTIGATION OF BACCAR IS WELL KNOWN AROUND TOWN.

3. BOURGUIBA, JR.'S SECOND PIECE OF ADVICE WAS TO TERMINATE SERVICES OF YOUR LOCAL LAWYER DAKHLAOU. IN CHARACTERIZING DAKHLAOU AS UNCRUPULOUS, HE SAID THAT THERE ARE THREE LAWYERS IN TUNISIA HE WOULD NOT TOUCH, TWO OF WHOM ARE DAKHLAOU AND BACCAR (HUSBAND).

4. RE WHETHER COURT IS LIKELY TO JUDGE CASE PURELY ON BASIS ITS MERITS, BOURGUIBA JR.'S OPINION IS IN THE AFFIRMATIVE. HE DOES NOT RPT NOT THINK JUDGES WILL BE BOUGHT. HE ALSO SAW POINT THAT GOT AS PARTNER IN SORTING CENTER SHOULD ASSUME POSTURE OF CO-DEFENDANT.

5. WHEN I SAW BOURGUIBA JR. LAST EVENING HE INFORMED ME HE HAD RAISED BACCAR CASE WITH HIS FATHER, PRESIDENT BOURGUIBA, AND CLAIMED THAT HIS FATHER ENDORSES HIS OWN VIEWS ON THE MATTER. BOURGUIBA JR. ALSO SAID HE HAD CALLED MINISTER OF JUSTICE TO DISCUSS CASE WITH HIM. HE SAID THAT AMONG OTHER THINGS HE HAD TOLD MINISTER OF JUSTICE THAT SMITHSONIAN WAS NOT INTENDING TO RAISE HEDIA BACCAR'S LOOSE MORALS IN COURT CASE BUT THAT, AS MINISTER KNEW, HER DEPORTMENT HAS BEEN DEPLORABLE. ACCORDING TO BOURGUIBA JR., MINISTER AGREED THAT TWO BACCAR'S DO NOT ENJOY A FAVORABLE REPUTATION. BOURGUIBA JR. AGAIN STRESSED TO ME IMPORTANCE, IN HIS VIEW, THAT SMITHSONIAN REPLACE DAKHLAOU. SEELYE

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LITIGATION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 04 MAR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975TUNIS01305  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750075-0534  
**From:** TUNIS  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750382/aaaacwle.tel  
**Line Count:** 97  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION SMI  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 28 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <28 MAY 2003 by ShawDG>; APPROVED <29 MAY 2003 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** BACCAR CASE  
**TAGS:** TPHY, OSCI, TS, SMI, (BOURGUIBA, HABIB JR), (BACCAR, HEDIA)  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006